

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Daimen Demall Purvis

Docket No. 4:10-CR-27-1FL

Petition for Action on Supervised Release

COMES NOW Tuell Waters, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daimen Demall Purvis, who, upon an earlier plea of guilty to Possession of a Firearm and Ammunition by a Felon, was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on November 3, 2010, to the custody of the Bureau of Prisons for a term of 72 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Daimen Demall Purvis was released from custody on June 12, 2015, at which time the term of supervised release commenced.

On September 30, 2015, a Petition for Action on Supervised Release was filed reporting the defendant tested positive for marijuana on June 24, 2015, and August 11, 2015. As a sanction, the court ordered confinement of 2 days in the Bureau of Prisons, which was completed on November 22, 2015.

On December 30, 2015, a Petition for Action on Supervised Release was filed reporting the defendant tested positive for marijuana on September 30, 2015. In response, the court modified the conditions of supervised release, adding 5 days confinement to the Bureau of Prisons and the DROPS program in the third use level. Purvis completed the 5 day period of confinement on February 2, 2016.

A DROPS Sanction Report was tendered to the court on May 3, 2017, notifying that Purvis tested positive for marijuana on April 17, 2017, and that a 10-day sanction request had been submitted to the Bureau of Prisons.

On June 22, 2017, a Petition for Action on Supervised Release was filed reporting the defendant's request to serve the above-referenced 10-day DROPS sanction via 2-day placements rather than consecutively in order to avoid an employment conflict. The order was issued as requested.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On April 27, 2018, the defendant committed the offense of Driving While Impaired (18CR50681) and Possession of Drug Paraphernalia (18CR701321). According to Trooper L.A. Peele, she detected an odor of alcohol when Purvis stopped at a routine DWI checkpoint. The highway patrol determined the defendant's Blood Alcohol Content to be .10 g/210L. Further investigation produced a grinder used for grinding marijuana buds. Consequently, the defendant was charged by the North Carolina State Highway Patrol with the aforementioned offenses which remain pending in Beaufort County District Court. Trooper Peele reported that Purvis was polite and cooperative. The defendant, who reported the matter to the probation office as required, maintains the grinder belonged to a passenger in the vehicle. It is noted that a urinalysis collected by the undersigned on May 3, 2018, yielded negative results. It is respectfully requested that the court modify the conditions of supervision to impose home detention with electronic monitoring until the term of supervised release expires on June 11, 2018. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed June 11, 2018. The defendant shall be restricted to their residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2344
Executed On: May 8, 2018

ORDER OF THE COURT

Considered and ordered this 9th day of May, 2018, and ordered filed and
made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge